



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

AUG 28 2018

GENERAL NOTICE LETTER/104(e) INFORMATION REQUEST

URGENT LEGAL MATTER, PROMPT REPLY NECESSARY

CERTIFIED MAIL: RETURN RECEIPT REQUESTED – 7008 0150 0003 1543 8401

Buckeye Partners, LP
One Greenway Plaza
Suite 600
Houston, Texas 77046

Re: General Notice Letter and Information Request Pursuant to CERCLA Section 104(e), 42 U.S.C. § 9604(e), Information Request for the Brine Service Company Site in Corpus Christi, Nueces County, Texas

Dear Sir/Madam:

The purpose of this letter is to notify Buckeye Partners, LP of its potential liability at the Brine Service Company Superfund Site (Site) located in Corpus Christi, Nueces County, Texas. This letter also seeks Buckeye's cooperation in providing information and documents relating to the contamination of the Site. Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as the federal "Superfund" law, U.S. Environmental Protection Agency (EPA) is responsible for responding to the release or threat of release of hazardous substances, pollutants or contaminants into the environment – that is, for stopping further contamination from occurring and for cleaning up or otherwise addressing any contamination that has already occurred. EPA has documented that such a release has occurred at the Site. EPA has spent, or is considering spending, public funds to investigate and control releases of hazardous substances or potential releases of hazardous substances at the Site. Based on information presently available, EPA has determined that you may be responsible under CERCLA for cleanup of the Site or costs EPA has incurred in cleaning up the Site.

Site Background

The Site is located approximately 6.5 miles west of downtown Corpus Christi along the north side of IH-37 and east-northeast of the intersection at Goldston Road. Corpus Christi is situated along the southern Gulf Coast of Texas. The Site is in the Nueces-Rio Grande Basin and lies approximately 25 feet above sea level. The geodetic coordinates of the Site are 27°48'55.34" north latitude and 97°30'30.98" west longitude.

The Site is comprised of former waste disposal pits (north and south pits) located on property formerly owned and operated by Brine Service Company. A portion of the pit area reportedly received oil field wastes, such as drilling fluids, and/or refinery wastes from as early as 1946 through the 1960s. The Site was discovered in November 1997 when a trench was being excavated through a portion of the former Brine Service Company property to install interconnecting pipelines between two nearby refineries. The

Texas Natural Resource Conservation Commission (TNRCC) (predecessor agency to the Texas Commission on Environmental Quality (TCEQ)) documented that the bottom and sides of the trench were visibly stained and the ground water seeping into the excavation had a hydrocarbon sheen. Samples of the excavated soil had benzene concentrations as high as 79 milligrams per kilogram (mg/kg). Subsequent sampling of the pit area revealed the presence of metals, including barium, cadmium, chromium, lead, and mercury as well as several organic compounds.

Surface water drainage from the Site enters a drainage ditch located along the east side of the property (the East Ditch). The East Ditch travels north approximately ½ mile and empties into a wetland area known as Tule Lake. Tule Lake is a brackish shallow water wetland area and is a Texas Parks and Wildlife sanctuary containing gulls, pelicans and other aquatic birds. Tule Lake is a habitat for several state-listed threatened species and is hydrologically connected to Corpus Christi Bay. Corpus Christi Bay is an estuarine subtidal area and has been nominated into the National Estuary Bay Program. The bay is used for recreational and commercial fishing.

Explanation of Potential Liability

Under CERCLA, specifically Sections 106(a) and 107(a), potentially responsible parties (PRPs) may be required to perform cleanup actions to protect public health, welfare, or the environment. PRPs also may be responsible for costs incurred by EPA in cleaning up the Site, unless the PRP can show divisibility or any of the other statutory defenses. PRPs include current and former owners and operators of a site as well as persons who arranged for treatment and/or disposal of any hazardous substance found at a site, and persons who accepted hazardous substances for transport and selected a site to which hazardous substances were delivered.

Based on the information collected, EPA believes that you may be liable under Section 107(a) of CERCLA with respect to the Brine Service Company Superfund Site, as a current or previous owner and/or operator of the Site. Specifically, Buckeye Partners, LP (Buckeye), or an affiliated entity, owns a parcel(s) on the northern portion of the Site and owns and operates a refinery east of the Site. See Enclosure 1- Evidence of Potential Liability.

Site response actions and Site costs may include, but are not limited to, expenditures for conducting a remedial investigation/feasibility study (RI/FS), conducting a remedial design/remedial action, and other investigation, planning, response oversight, and enforcement activities. In addition, PRPs may be required to pay for damages for injury to, destruction of or loss of natural resources, including the cost of assessing such damages.

To date, EPA and the State of Texas have taken several response actions at the Site under the authority of the Superfund Program. Below is a brief description of the actions taken at the Site.

- EPA conducted a site inspection in September 2001.
- EPA placed the Site on the National Priorities List on September 5, 2002.

- A group of six PRPs signed an administrative order on consent on October 21, 2009, which required the group to perform an RI/FS. The RI/FS is ongoing.

Financial Concerns/Ability to Pay Settlements

EPA is aware that the financial ability of some PRPs to contribute toward the payment of response costs at a site may be substantially limited. If you believe, and can document, that you fall within that category, please contact

Mr. Stephen Capuyan, Enforcement Officer
Superfund Enforcement Assessment Section (6SF-TE)
U. S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733
(214) 665-2163
capuyan.stephen@epa.gov

for information on ability-to-pay settlements. In response, you will receive a package of information about the potential for such settlements and a form to fill out with information about your finances, and you will be asked to submit financial records including business [and personal] federal income tax returns. If EPA concludes that you have a legitimate inability to pay the full amount of EPA's costs, EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Also, please note that, because EPA has a potential claim against you, you must include EPA as a creditor if you file for bankruptcy. EPA reserves the right to file a proof of claim or an application for reimbursement of administrative expenses.

Information to Assist You

EPA would like to encourage communication between you, other PRPs, and EPA at the Site. To assist you in your efforts to communicate, please find the attached list of names and addresses of the PRPs who are conducting an RI/FS at the Site. In addition, EPA will establish an administrative record that contains documents that serve as the basis for EPA's selection of a cleanup action for the Site. The administrative record will be located at an information repository at or near the location of the response action and will be available to you and the public for inspection and comment. The administrative record also will be available for inspection and comment at the Superfund Records Center, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202.

Resources and Information for Small Businesses

As you may be aware, on January 11, 2002, President Bush signed into law the Superfund Small Business Liability Relief and Brownfields Revitalization Act. This Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may obtain a copy of the law via the Internet at:

<http://www.gpo.gov/fdsys/pkg/PLAW-107publ118/pdf/PLAW-107publ118.pdf>

and review EPA guidance regarding these exemptions at:
<http://www.epa.gov/compliance/resources/policies/cleanup/superfund>

EPA has created several helpful resources for small businesses. EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers, which offer various forms of resources to small businesses. You may inquire about these resources at <https://www.epa.gov/compliance/compliance-assistance-centers>. In addition, the EPA Small Business Ombudsman may be contacted at <https://www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman>. Finally, EPA developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act (SBREFA), which is enclosed with this letter and available on the Agency's website at <http://www.epa.gov/compliance/small-business-resources-information-sheet>.

Response to Information Request

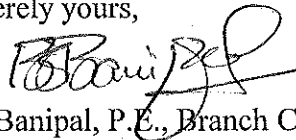
Pursuant to the authority of CERCLA Section 104(e), you are hereby requested to respond to the enclosed information request (Enclosure 2). Please mail your response within 30 calendar days of your receipt of this request to the following address:

Mr. Stephen Capuyan, Enforcement Officer
Superfund Enforcement Assessment Section (6SF-TE)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Please give these matters your immediate attention and consider consulting with an attorney. If you or your attorney have any legal questions, please contact Leonard Schilling, Regional Counsel at (214) 665-7166. If you have any other questions regarding this letter, please contact Stephen Capuyan, Enforcement Officer at (214) 665-2163. Thank you for your prompt attention to this matter.

Also included in this letter to assist you are the Small Business Resource Fact Sheet as Enclosure 3 and the PRPs conducting the RI/FS as Enclosure 4.

Sincerely yours,



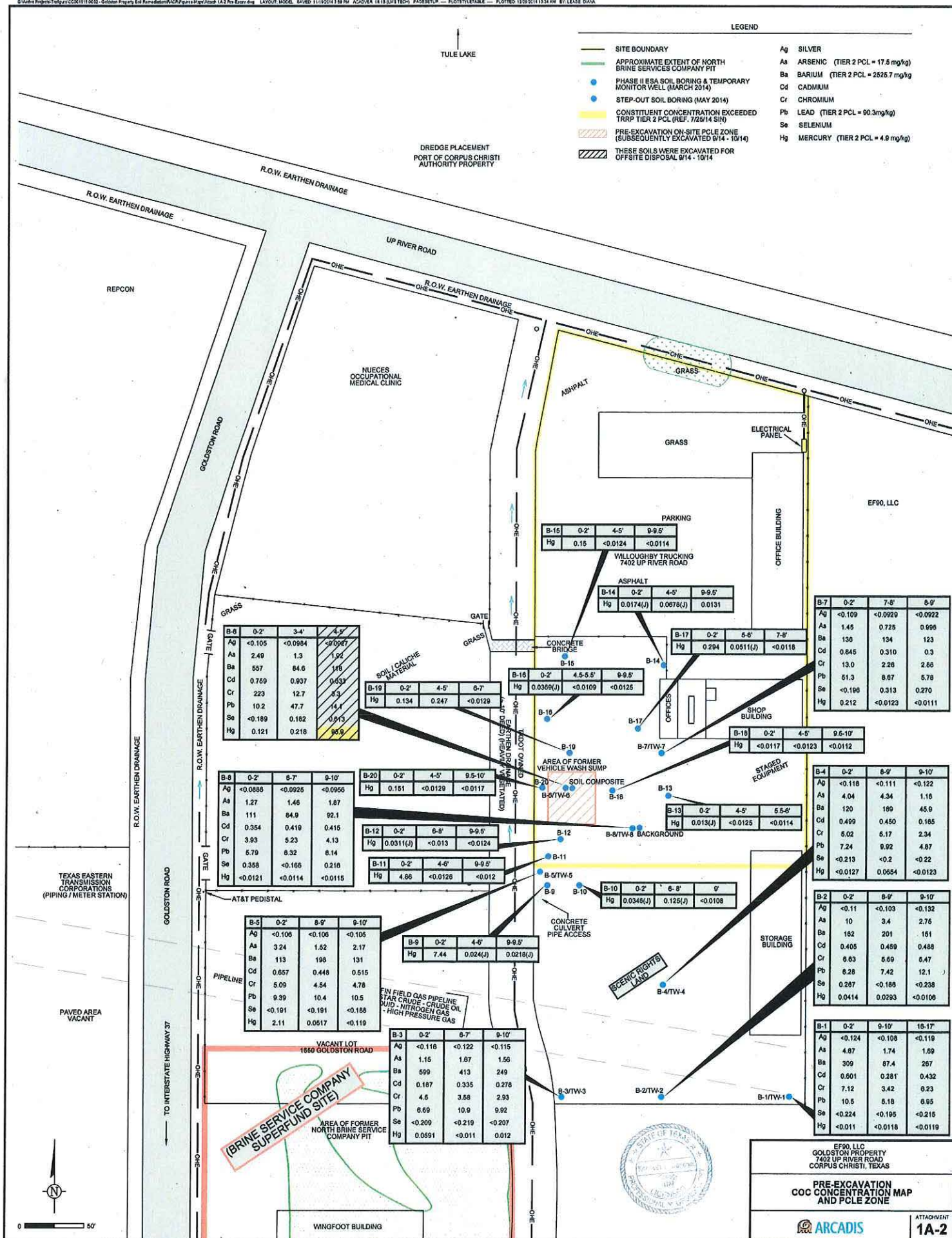
Ben Banipal, P.E., Branch Chief
Technical and Enforcement Branch
Superfund Division

Enclosures:

1. Evidence of Potential Liability
2. Information Request
3. Small Business Resource Fact Sheet
4. PRPs Conducting RI/FS

ENCLOSURE 1

**BRINE SERVICE COMPANY SITE
EVIDENCE OF POTENTIAL LIABILITY**



After Recording, Return To:

Vinson & Elkins LLP
2001 Ross Avenue, Suite 3700
Dallas, Texas 75201
Attn: Will Russ

NOTICE OF CONFIDENTIALITY RIGHTS: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: **YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

SPECIAL WARRANTY DEED

THE STATE OF TEXAS

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§ KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF NUECES

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BOOMERANG CORPORATION, a Texas corporation ("**Grantor**"), for and in consideration of the sum of \$10 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has **GRANTED, BARGAINED, SOLD, and CONVEYED** and by these presents does **GRANT, BARGAIN, SELL, AND CONVEY** unto **EF90 LLC**, a Delaware limited liability company ("**Grantee**") the real property in Nueces County, Texas, fully described in Exhibit A, all improvements thereon, and all of Grantor's rights, titles, and interests in and to adjacent streets, alleys, rights-of-way, and any adjacent strips and gores of real estate, together with all rights, titles, and interests appurtenant to the foregoing (collectively, the "**Property**").

This Special Warranty Deed and the conveyance hereinabove set forth is executed by Grantor and accepted by Grantee subject to the matters described in Exhibit B, to the extent the same are validly existing and applicable to the Property (collectively, the "**Permitted Encumbrances**").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto Grantee, its successors and assigns forever, and Grantor does hereby bind itself, its successors and assigns, to **WARRANT AND FOREVER DEFEND** all and singular the title to the Property unto the said Grantee, its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise, subject only to the Permitted Encumbrances.

The Property does not include, and there is hereby **RESERVED** unto Grantor and Grantor's successors and assigns, all of the oil, gas and other minerals, including uranium and fissionable materials, in, on and under the Property which have not heretofore been reserved by third parties, if any (collectively, the "**Minerals**"). Minerals, as used herein does not include water, dirt, caliche and gravel. Grantor waives the right of ingress and

egress on the surface of the Property at all times for the purpose of drilling, exploring, operating, and developing the Property for Minerals.

GRANTEE ACKNOWLEDGES THAT GRANTOR HAS MADE NO REPRESENTATIONS OR WARRANTIES, EXPRESS OR IMPLIED, EXCEPT AS EXPRESSLY SET FORTH HEREIN AND IN THAT CERTAIN PURCHASE AND SALE AGREEMENT DATED EFFECTIVE FEBRUARY 11, 2014, BY AND BETWEEN GRANTOR AND GRANTEE (THE "AGREEMENT"). SUBJECT TO THE EXPRESS REPRESENTATIONS, WARRANTIES AND COVENANTS OF GRANTOR IN THIS DEED AND IN THE AGREEMENT, GRANTEE WARRANTS AND ACKNOWLEDGES TO AND AGREES WITH GRANTOR THAT: (I) GRANTEE IS PURCHASING THE PROPERTY IN ITS "AS-IS, WHERE IS" CONDITION "WITH ALL FAULTS" AND DEFECTS AND SPECIFICALLY AND EXPRESSLY WITHOUT ANY WARRANTIES, REPRESENTATIONS OR GUARANTEES, EITHER EXPRESS OR IMPLIED, AS TO ITS CONDITION (INCLUDING, WITHOUT LIMITATION, ITS PHYSICAL CONDITION OR ENVIRONMENTAL CONDITION), FITNESS FOR ANY PARTICULAR PURPOSE, MERCHANTABILITY, OR ANY OTHER REPRESENTATION OR WARRANTY OF ANY KIND, NATURE, OR TYPE WHATSOEVER FROM OR ON BEHALF OF GRANTOR; AND (II) GRANTOR SHALL NOT BE RESPONSIBLE FOR MAKING ANY CHANGES TO THE PROPERTY TO COMPLY WITH ANY LAWS. SUBJECT TO THE EXPRESS REPRESENTATIONS, WARRANTIES AND COVENANTS OF GRANTOR IN THIS DEED AND THE AGREEMENT, GRANTOR SPECIFICALLY DISCLAIMS ANY WARRANTY, GUARANTY OR REPRESENTATION, ORAL OR WRITTEN, PAST OR PRESENT, EXPRESS OR IMPLIED, CONCERNING (A) THE VALUE, NATURE, QUALITY OR CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, WATER, STRUCTURAL INTEGRITY, SOIL AND GEOLOGY; (B) THE INCOME TO BE DERIVED FROM THE PROPERTY; (C) THE ZONING FOR THE PROPERTY AND THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE MAY CONDUCT THEREON, INCLUDING THE POSSIBILITIES FOR FUTURE DEVELOPMENT OF THE PROPERTY; (D) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY (INCLUDING THE AMERICANS WITH DISABILITIES ACT OF 1990 OR ANY ENVIRONMENTAL LAW); (E) THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, PROFITABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY; (F) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO THE PROPERTY; (G) THE MANNER, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF THE PROPERTY; (H) THE PRESENCE OR ABSENCE OF HAZARDOUS MATERIALS AT, ON, UNDER, OR ADJACENT TO THE PROPERTY OR ANY OTHER ENVIRONMENTAL MATTER OR CONDITION OF THE PROPERTY; OR (I) ANY OTHER MATTER WITH RESPECT TO THE PROPERTY. GRANTEE ACKNOWLEDGES AND AGREES THAT, EXCEPT FOR THE EXPRESS REPRESENTATIONS AND WARRANTIES OF GRANTOR CONTAINED IN THIS DEED AND THE AGREEMENT, ANY

INFORMATION PROVIDED BY OR ON BEHALF OF GRANTOR WITH RESPECT TO THE PROPERTY WAS OBTAINED FROM A VARIETY OF SOURCES AND THAT GRANTOR HAS NOT MADE ANY INDEPENDENT INVESTIGATION OR VERIFICATION OF SUCH INFORMATION AND MAKES NO REPRESENTATIONS AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION. GRANTOR IS NOT LIABLE OR BOUND IN ANY MANNER BY ANY ORAL OR WRITTEN STATEMENTS, REPRESENTATIONS OR INFORMATION PERTAINING TO THE PROPERTY, OR THE OPERATION THEREOF, FURNISHED BY ANY REAL ESTATE BROKER, AGENT, EMPLOYEE, SERVANT OR OTHER PERSON EXCEPT FOR THE EXPRESS REPRESENTATIONS AND WARRANTIES SET FORTH IN THIS DEED AND THE AGREEMENT. GRANTEE REPRESENTS THAT GRANTEE IS A KNOWLEDGEABLE PURCHASER OF REAL ESTATE AND THAT GRANTEE IS RELYING SOLELY ON GRANTEE'S OWN EXPERTISE AND THAT OF GRANTEE'S CONSULTANTS, AND THAT GRANTEE HAS HAD THE OPPORTUNITY TO CONDUCT SUCH INSPECTIONS AND INVESTIGATIONS OF THE PROPERTY INCLUDING, BUT NOT LIMITED TO, THE PHYSICAL AND ENVIRONMENTAL CONDITIONS THEREOF, AND SHALL RELY UPON SAME, AND SHALL ASSUME THE RISK THAT ADVERSE MATTERS INCLUDING, BUT NOT LIMITED TO, ADVERSE PHYSICAL AND ENVIRONMENTAL CONDITIONS, MAY NOT HAVE BEEN REVEALED BY GRANTEE'S INSPECTIONS AND INVESTIGATIONS. EXCEPT AS MAY CONSTITUTE A BREACH OF A REPRESENTATION OR WARRANTY UNDER THIS DEED OR THE AGREEMENT, GRANTOR IS HEREBY RELEASED BY GRANTEE AND ITS SUCCESSORS AND ASSIGNS OF AND FROM ALL PRIVATE RIGHTS OF ACTION UNDER FEDERAL, STATE, LOCAL AND COMMON LAW, LIABILITIES, OBLIGATIONS AND CLAIMS, KNOWN OR UNKNOWN, THAT GRANTEE OR ANY SUCH SUCCESSOR OR ASSIGN MAY HAVE AGAINST GRANTOR OR THAT ARISE IN THE FUTURE BASED IN WHOLE OR IN PART UPON SUCH INFORMATION, DOCUMENTATION, OR THE PRESENCE OF TOXIC OR HAZARDOUS MATERIALS OR OTHER ENVIRONMENTAL CONDITION ON OR WITHIN THE PROPERTY OR ANY ADJACENT PROPERTY. FROM AND AFTER THE DATE HEREOF, GRANTEE SHALL HAVE, AND SHALL BE DEEMED TO HAVE, TAKEN THE PROPERTY SUBJECT TO ALL RISK AND LIABILITY WITH RESPECT TO THE PRESENCE OF TOXIC OR HAZARDOUS MATERIALS, OR OTHER ENVIRONMENTAL CONDITION ON OR WITHIN THE PROPERTY (WHETHER EXISTING PRIOR TO, AT, OR SUBSEQUENT TO THE DATE HEREOF).

Grantee's address is: EF90 LLC
c/o Trafigura AG
1401 McKinney, Suite 1500
Houston, Texas 77010
Attention: Mike Chambers

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EXECUTED as of 10, 2014.

BOOMERANG CORPORATION, a Texas corporation

By: James Donald Goldston
Name: James Donald Goldston
Title: President - Boomerang Corp

THE STATE OF TEXAS

COUNTY OF Denton

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This instrument was acknowledged before me on July 10, 2014, by James Donald Goldston, of BOOMERANG CORPORATION, a Texas corporation, on behalf of said corporation.

Beth Bishop
Notary Public, State of Texas

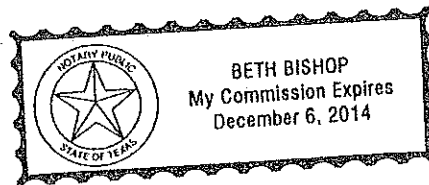


EXHIBIT A

LEGAL DESCRIPTION

Being a tract situated in Nueces County, Texas, portions of that 2.195 acre tract described as Tract I in the deed from Goldston Corporation to Boomerang Corporation, recorded under Document No. 843605, Official Public Records of Nueces County, and that 15.278 acre tract described in the deed to Goldston Company, Inc. from Tanca Corporation, recorded under Document No. 960195, Deed Records of Nueces County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod set in the south right-of-way line of Up River Road for the northeast corner of the heretofore referenced 2.195 acre tract for the northeast corner of this tract;

THENCE N 66°05'47" W along the south right-of-way line of Up River Road a distance of 135.87 feet to a 5/8 inch iron rod set for the northwest corner of this tract, said point being on the northerly extension of the east boundary of Lot 1B, Goldston Addition, as shown on the map thereof recorded in Volume 56 at Page 34 of the Map Records of Nueces County, Texas;

THENCE S 27°07'42" W at 10.02 feet pass a 5/8 inch iron rod found for the northeast corner of Lot 1B, Goldston Addition and in all a distance of 54.73 feet to a point for an angle point in this boundary;

THENCE continuing along the east boundary of Lot 1B, Goldston Addition, S 17°43'00" W a distance of 59.90 feet to a 5/8 inch iron rod set for an angle point in this boundary;

THENCE continuing along the east boundary of Lot 1B, Goldston Addition, S 0°05'33" E a distance of 108.96 feet to a 5/8 inch iron rod found for an angle point in this boundary;

THENCE continuing along the east boundary of Lot 1B, Goldston Addition, S 1°10'57" E a distance of 254.46 feet to a 5/8 inch iron rod set for the southwest corner of this tract;

THENCE N 88°55'51" W a distance of 171.53 feet to a 5/8 inch iron rod set in the east boundary of Tract I for the southeast corner of this tract;

THENCE N 1°19'42" W along the east boundary of said 2.195 acre tract, a distance of 410.99 feet to the POINT OF BEGINNING, forming a tract embracing 1.701 acres.

EXHIBIT B

PERMITTED ENCUMBRANCES

1. Right of Way dated January 6, 1893 executed by Thomas Warren to the City of Corpus Christi for water pipe line recorded in Volume 27, Page 396, Deed Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
2. Pipeline Right of Way dated May 4, 1936, from Mrs. Mary Ellen Hutchins and L. B. Hutchins to Republic Pipe Line Company, recorded under Clerk's File No. 101146, Volume 218, Page 615, Deed Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
3. Easement and Right of Way dated May 26, 1939, from L. B. Hutchins and Mrs. Mary Ellen Hutchins to Central Power and Light Company, recorded under Clerk's File No. 140974, Volume 249, Page 585, Deed Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
4. Right of Way dated September 21, 1937 executed by L. B. Hutchins and wife, Mary Ellen Hutchins to M-A-R Pipe Line Company recorded under Clerk's file No. 183371, Volume 285, Page 475, Deed Records of Nueces County, Texas. Amended Easement and Right of Way Easement dated October 2, 1978 by and between The Goldston Company, Incorporated and Coastal States Petrochemical Company, recorded under Clerk's file No. 124085, Volume 1684, Page 357, Deed Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
5. Easement from Burtex Constructors, Inc. to the State of Texas dated September 17, 1965 recorded under Clerk's file No. 694808, Volume 1116, Page 11, Deed Records of Nueces County, Texas for construction and maintenance of a permanent channel or drainage easement located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
6. Pipeline Right of Way dated November 13, 1936 from L. B. Hutchins et ux to Humble Pipe Line Company recorded under Clerk's file No. 110716, Volume 227, Page 112, Deed Records of Nueces County, Texas.
7. Pipeline Right of Way dated October 25, 1940 from L. B. Hutchins et ux to Houston Gulf Gas Company in Volume 265, Page 126, Deed Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.

8. Cathodic Protection Easement dated February 24, 1975, from The Goldston Co., Inc. to Mobil Pipe Line Company, recorded under Clerk's File No. 969436, Volume 1522, Page 18, Deed Records of Nueces County, Texas, assigned to Koch Gathering Systems, Inc. by assignment dated January 3, 1986, recorded under Clerk's File No. 475739, Volume 1999, Page 935, Deed Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
9. Mineral and/or royalty interest, the royalties, bonuses, rentals and all other rights in connection with said mineral and/or royalty rights, bonuses and rentals described in instrument from L. B. Hutchins and wife, Mary Ellen Hutchins to Rogers South, dated June 25, 1945, recorded in Volume 311, Page 509, Deed Records of Nueces County, Texas.
10. Mineral and/or royalty interest, the royalties, bonuses, rentals and all other rights in connection with said mineral and/or royalty rights, bonuses and rentals described in instrument from Mary Ellen Hutchins to L. B. Hutchins, dated July 12, 1940, recorded in File No. 152023, Volume 257, Page 622, Deed Records of Nueces County, Texas.
11. Mineral and/or royalty interest, the royalties, bonuses, rentals and all other rights in connection with said mineral and/or royalty rights, bonuses and rentals described in instrument from R. A. Gill and wife, Edith Gill to E. C. Hunter and wife, Sally Mae Hunter, dated February 24, 1949, recorded in File No. 275794, Volume 97, Page 440, Oil and Gas Records of Nueces County, Texas.
12. Amended Easement and Right of Way Easement dated October 2, 1978 by and between The Goldston Company, Incorporated and Coastal States Petrochemical Company, recorded under Clerk's file No. 124085, Volume 1684, Page 357, Deed Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
13. Goldston Unit Designation of Pooled Unit dated December 18, 1978, executed by K. R. Whitehurst, Operator, recorded under File No. 118031, Volume 326, Page 353, Oil and Gas Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
14. Terms, conditions, provisions, requirements and stipulations resulting from Notice of Registration of Industrial Solid Waste Generation/Disposal recorded under File No. 136484, Volume 1697, Page 307, Deed Records of Nueces County, Texas.
15. Easement and Right of Way dated May 13, 1982 executed by Goldston Corporation to Central Power and Light Company recorded under Clerk's file No. 280506, Volume 1831, Page 811, Deed Records of Nueces County, Texas located and limited as shown on

the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.

16. 20' front yard requirement, 40' rear drainage easement, 10' utility easement and drainage easement measured 40' from rear of lot, 40' utility easement crossing through lot, two (2) pipelines crossing through lot, as shown by map or plat thereof recorded in Volume 55, Pages 45-46, Map Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
17. Pipeline Right of Way dated January 2, 1937 from L. B. Hutchins and wife to Magnolia Pipe Line Company recorded under Clerk's file No. 111380, Volume 228, Page 75, Deed Records of Nueces County, Texas. As modified by Agreement dated October 14, 1960 between The Goldston Co., Inc. and Magnolia Pipe Line Company recorded under Clerk's file No. 563351, Volume 904, Page 619, Deed Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
18. Pipeline Right of Way dated September 22, 1930 from L. B. Hutchins to Magnolia Petroleum Company recorded under Clerk's file No. 143466 Volume 251, Page 618, Deed Records of Nueces County, Texas. As Modified in Agreement dated October 14, 1960 between The Goldston Co., Inc. and Magnolia Pipe Line Company recorded under Clerk's file No. 563351, Volume 904, Page 619, Deed Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
19. Pipeline Right of Way dated December 8, 1938 from L. B. Hutchins and wife to Crude Oil Pipe Line Company recorded under Clerk's file No. 148228, Volume 256, Page 185, Deed Records of Nueces County, Texas. As Modified in Agreement dated September 6, 1955 between Sinclair Pipe Line Company and L. B. Hutchins and wife recorded under Clerk's file No. 441343, Volume 705, Page 315, Deed Records of Nueces County, Texas. Amended Easement and Right of Way Easement dated October 2, 1978 executed by The Goldston Company, Incorporated to Coastal States Petrochemical Company recorded under Clerk's file No. 126130, Volume 1686, Page 287, Deed Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
20. Reservation of 1/2 of all oil, gas and other minerals by grantor as contained in Warranty Deed dated May 31, 1946 from Mary Ellen Hutchins, a femme sole to R. A. Gill and wife, Edith Gill recorded under Clerk's file No. 225181, Volume 338, Page 388, Deed Records of County, Texas, together with all rights incident to the owners and lessees of the minerals.
21. Highway Easement dated October 19, 1965 from The Goldston Company, Inc. to State of Texas recorded under Clerk's file No. 695168, Volume 1116, Page 457, Deed Records of

Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.

22. Agreement dated February 24, 1975 between The Goldston Company, Inc. and Mobil Pipe Line Company recorded under Clerk's file No. 969376, Volume 1521, Page 989, Deed Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
23. Amended Easement and Right of Way Easement dated October 2, 1978 executed by The Goldston Company, Incorporated to Coastal States Petrochemical Company recorded under Clerk's file No. 126130, Volume 1686, Page 287, Deed Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
24. Notice to the public dated May 18, 1979 executed by the Goldston Company, Inc. recorded under Clerk's file No. 136484, Volume 1697, Page 307, Deed Records of Nueces County, Texas, establishing the Establishment of a Waste Disposal Site located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
25. Designation of Pooled Unit dated December 18, 1978 recorded under Clerk's File No. 118031, Volume 326, Page 353, Oil and Gas Records of County, Texas, together with all rights incident to the owners and lessees of the minerals located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
26. Easement and Right of Way dated January 22, 1980 executed by The Goldston Company, Inc. recorded under Clerk's file No. 167706, Volume 1728, Page 611, Deed Records of Nueces County, Texas.
27. Road Easement as contained in Deed of Trust dated January 22, 1980 executed by The Goldston Company, Inc. to E. G. Bradley, Trustee for Grand Lodge of the Order of the Sons of Hermann recorded under Clerk's file No. 167708, Volume 1624, Page 514, Deed Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
28. Easement and Right of Way dated February 10, 1982 executed by Goldston Corporation to Central Power and Light Company, a Texas corporation recorded under Clerk's file No. 265304, Volume 1818, Page 41, Deed Records of Nueces County, Texas (map attached therein) located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014

29. Easement and Right of Way dated May 13, 1982 executed by Goldston Corporation to Central Power and Light Company, a Texas corporation recorded under Clerk's file No. 280506, Volume 1831, Page 811, Deed Records of Nueces County, Texas located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
30. Additional Pipeline Agreement dated August 9, 1996 executed by Boomerang Corporation and Richard A. Dunlap, II to Koch Pipeline Company, L.P. recorded under Clerk's file No. 1996033923, Official Public Records of Nueces County, Texas (map attached therein) located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
31. Pipeline Right of Way and Easement dated December 20, 1996 executed by Richard A. Dunlap, II to Koch Refining Company, L.P. recorded under Clerk's file No. 1997001863, Official Public Records of Nueces County, Texas (map attached therein) located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
32. Pipeline Right of Way and Easement dated December 16, 1996 executed by Boomerang Corporation to Koch Refining Company, L.P. recorded under Clerk's file No. 1997001864, Official Public Records of Nueces County, Texas (map attached therein) located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
33. Pipeline Right of Way and Easement dated May 1, 1997 executed by Richard Dunlap, II to Koch Refining Company, L.P. recorded under Clerk's file No. 1997017081, Official Public Records of Nueces County, Texas (map attached therein) located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.
34. Pipeline Right of Way and Easement dated April 21, 1997 executed by Boomerang Corporation to Koch Refining Company, L.P. recorded under Clerk's file No. 1997017082, Official Public Records of Nueces County, Texas (map attached therein) located and limited as shown on the survey prepared by Murray Bass (RPLS No. 2128) of Bass & Welsh Engineering, dated April 28, 2014, and last revised June 18, 2014.

Doc# 2014026577
Pages 11
07/11/2014 2:57PM
e-Filed & e-Recorded in the
Official Public Records of
NUECES COUNTY
DIANA T. BARRERA
COUNTY CLERK
Fees \$51.00

Any provision herein which restricts the Sale, Rental
or use of the described REAL PROPERTY because of
Race, Color, Religion, Sex, Handicap, Familial Status
or National Origin is invalid and unenforceable
under FEDERAL LAW, 3/12/89

STATE OF TEXAS
COUNTY OF NUECES
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS
FILED IN FILE NUMBER SEQUENCE ON THE DATE AND
AT THE TIME STAMPED HEREON BY ME AND WAS DULY
RECORDED IN THE OFFICIAL PUBLIC
RECORDS OF NUECES COUNTY TEXAS



Diana T. Barrera
COUNTY CLERK
NUECES COUNTY, TEXAS

E. Scot Dixon
Vinson & Elkins LLP
1001 Fannin, Suite 2500
Houston, Texas 77002

STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF NUECES §

1

Denton, Texas 76208-3418
Attention: Don Goldston

This Notice is executed, acknowledged and delivered for the purpose of recordation in the real property records of Nueces County, Texas, in order to give notice of all of the terms, provisions and conditions of the Agreement. This Notice is not intended, and is not to be construed, to amend or in any way modify any of the terms, provisions or conditions of the Agreement.

[signature page attached hereto]

BOOMERANG:

BOOMERANG CORPORATION, a Texas corporation

By: James Donald Goldston
Name: James Donald Goldston
Title: President Boomerang Corp

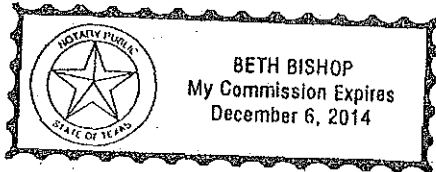
THE STATE OF TEXAS

COUNTY OF Denton

§
§
§

This instrument was acknowledged before me on the 10th day of July, 2014, by James Donald Goldston, as President of BOOMERANG CORPORATION, a Texas corporation, on behalf of said corporation.

[SEAL]



Beth Bishop
Notary Public in and for
The State of Texas

Print Name of Notary Beth Bishop

My Commission Expires: 12-6-14

EXHIBIT A

Description of Boomerang Property

Being a tract situated in Nueces County, Texas, comprised of all or portions of the following Tracts: Lot 2, Goldston Addition, as shown on the map thereof recorded at Volume 55 at Page 46 of the Map Records of Nueces County; Lots 3 and 4, Goldston Addition as shown on the map thereof recorded at Volume 59 at Page 55 of the Map Records of Nueces County, Texas; and Tract I, Tract II, and Tract IV, described in the deed to Boomerang Corporation, recorded under Clerk's File No. 843605, Official Public Records, Nueces County, Texas, and a portion of that 15.278 acre tract described in the deed to Goldston Company, Inc. from Tanca Corporation, recorded under Clerk's File No. 960195, Deed Records of Nueces County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found for the northwest corner of the heretofore referenced Lot 2, Goldston Addition, for the northwest corner of this tract, said point being the southwest corner of Lot 1B, Goldston Addition as shown on the map thereof recorded at Volume 56 at Page 34, Map Records, Nueces County, Texas;

THENCE N 88°55'51" E across Lot 1B, Goldston Addition a distance of 279.00 feet to a 5/8 inch iron rod found for the northeast corner of Lot 2 and a corner of this tract;

THENCE N 1°10'57" W along the east line of Lot 1B, Goldston Addition a distance of 15.00 feet to a 5/8 inch iron rod set for a corner of this tract;

THENCE N 88°55'51" E a distance of 171.53 feet to a 5/8 inch iron rod set in the east boundary of the heretofore referenced Tract I for the northeast corner of this tract;

THENCE S 1°19'42" E along the east boundary of said Tract I at 189.41 feet pass the southeast corner of Tract I and the northeast corner of Tract IV and in all a distance of 1120.57 feet to a 5/8 inch iron rod found for the southeast corner of Tract IV and southeast corner of this tract, said point being the northeast corner of Lot 7, Block 1, Goldston Addition as shown on the map thereof recorded in Volume 55 at Page 88 of the Map Records of Nueces County, Texas;

THENCE N 85°11'01" W along the south line of Tract IV, at 188.94 feet pass the northwest corner of Lot 7 and the northeast corner of Lot 6, Block 1, Goldston Addition as shown on the map thereof recorded in Volume 54 at Page 184 of the Map Records of Nueces County, Texas and in all a distance of 304.19 feet to a 5/8 inch iron rod found for an intermediate corner of this tract;

THENCE continuing along the south line of Tract IV and north boundary of Lot 6, N 79°45'16" W a distance of 154.23 feet to a 5/8 inch iron rod found for the southwest corner of Tract IV and the northwest corner of Lot 6 for the southwest corner of this tract, said point lying in the east right-of-way line of Goldston Road;

THENCE N 1°09'56" W along the west boundary of Tract IV and the east right-of-way line of Goldston Road at 324.13 feet pass the northwest corner of Tract IV and the southwest corner of Lot 4, Goldston Addition; at 449.05 feet pass the northwest corner of Lot 4 and the southwest

corner of Lot 3; at 894.81 feet pass the northwest corner of Lot 3 and the southwest corner of Lot 2, and in all a distance of 1044.11 feet to the POINT OF BEGINNING, forming a tract embracing 11.265 acres.

Doc# 2014026578
Pages 6
07/11/2014 2:57PM
e-Filed & e-Recorded in the
Official Public Records of
NUECES COUNTY
DIANA T. BARRERA
COUNTY CLERK
Fees \$31.00

Any provision herein which restricts the Sale, Rental
or use of the described REAL PROPERTY because of
Race, Color, Religion, Sex, Handicap, Familial Status
or National Origin is invalid and unenforceable
under FEDERAL LAW, 3/12/89

STATE OF TEXAS
COUNTY OF NUECES
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS
FILED IN FILE NUMBER SEQUENCE ON THE DATE AND
AT THE TIME STAMPED HEREON BY ME AND WAS DULY
RECORDED IN THE OFFICIAL PUBLIC
RECORDS OF NUECES COUNTY TEXAS



Diana T. Barrera
COUNTY CLERK
NUECES COUNTY, TEXAS

Form 406
(Revised 05/11)

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512/463-5709
Filing Fee: See instructions



Amendment to Registration

This space reserved for office use.

FILED
In the Office of the
Secretary of State of Texas

OCT 14 2014

Corporations Section

Entity Information

1. The legal name of the filing entity is:

EF90 LLC

State the name of the entity as currently shown in the records of the secretary of state.

2. If the entity attained its registration under an assumed name, the qualifying assumed name as shown on the records of the secretary of state is:

3. The registration was issued to the entity on:

12/20/2012

mm/dd/yyyy

The file number issued to the filing entity by the secretary of state is: 801704453

Amendments to Application

4. The registration is amended to change the legal name of the entity as amended in the entity's jurisdiction of formation. The new name is:

Buckeye Texas Processing LLC

5. The new name of the entity is not available for use in Texas or fails to include an appropriate organizational designation. Or, the entity wishes to amend the qualifying assumed name stated on its application for registration or amended registration. The assumed name the entity elects to adopt for purposes of maintaining its registration is:

6. The registration is amended to change the business or activity stated in its application for registration or amended registration. The business or activity that the entity proposes to pursue in this state is:

The entity certifies that it is authorized to pursue the same business or activity under the laws of the entity's jurisdiction of formation.

Other Changes to the Application for Registration

7. The foreign filing entity desires to amend its application for registration to make changes other than or in addition to those stated above. Statements contained in the original application or any amended application are identified by number or description and changed to read as follows:

Effectiveness of Filing (Select either A, B, or C.)

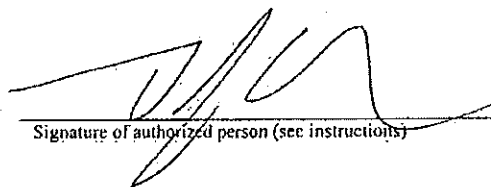
- A. ☒ This document becomes effective when the document is filed by the secretary of state.
- B. ☐ This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. ☐ This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Date: October 13, 2014



Signature of authorized person (see instructions)

Todd J. Russo

Printed or typed name of authorized person.

ENCLOSURE 2

BRINE SERVICE COMPANY SITE INFORMATION REQUEST

Under the authority of Section 104(e) of Superfund, EPA is requesting you to respond to the questions below and to provide any relevant information related to this Site. Relevant information may include information concerning the type and quantity of substances transported to or treated, stored, or disposed of at the Site and releases of hazardous substances at or from the Site.

If you have information about other parties who may have information which may assist the EPA in its investigation of the Site or may be responsible for the contamination at the Site, that information should be submitted within the time frame noted above.

Under Section 104(e)(2) of CERCLA, 42 U.S.C. § 9604(e)(2), EPA has broad information gathering authority which allows EPA to require persons to furnish information or documents relating to:

(A) the identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at vessel or facility or transported to a vessel or facility; and,

(B) the nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility; and

(C) information relating to the ability of a person to pay for or to perform a cleanup.

While EPA seeks your cooperation in this investigation, compliance with the Information Request is required by law. Failure to respond fully and truthfully to the Information Request within thirty (30) calendar days of receipt of this letter, or adequately to justify such failure to respond, can result in enforcement action by EPA pursuant to Section 104(e) of CERCLA, as amended within. This statute permits EPA to seek the imposition of penalties of up to \$54,789 for each day of continued non-compliance. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001.

Please be aware that your response may include information that you consider confidential business information. If you make a claim of confidentiality on any of the information you submit to EPA, you must prove that claim for each document.

Instructions on how to respond to the Questions are described below. Please send your response to this Information Request to Ms. Stephen Capuyan at the address in the letter.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §§ 3501 et seq.

INSTRUCTIONS

1. Please provide a separate narrative response for each Question and subpart of a Question set forth in this Information Request.
2. Precede each answer with the Question (or subpart) and the number of the Question (and the letter of a subpart of a Question, if applicable) to which it corresponds.
3. If information or documents not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, ***you must supplement*** your response to the U.S. Environmental Protection Agency (EPA). Moreover, should you find, at any time, after submission of your response, that any portion of the submitted information is false or misrepresents the truth, or, though correct when made, is no longer true, you must notify the EPA of this fact as soon as possible and provide the EPA with a corrected response.
4. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question (and the letter of a subpart of a Question, if applicable) to which it responds.
5. You may assert a business confidentiality claim covering part or all the information which you submit in response to this request. Any such claim must be made by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet or a stamped or typed legend or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Confidential portions of otherwise non-confidential documents should be clearly identified and may be submitted separately to facilitate identification and handling by the EPA. If you make such a claim, the information covered by that claim will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in subpart B of 40 C.F.R. Part 2. If no such claim accompanies the information when it is received by the EPA, it may be made available to the public by the EPA without further notice to you. The requirements of 40 C.F.R. Part 2 regarding business confidentiality claims were published in the Federal Register on September 1, 1976, and were amended September 8, 1976, and December 18, 1985.
6. Personal Privacy Information. Personnel and medical files, and similar files the disclosure of which to the general public may constitute an invasion of privacy should be segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information."
7. Objections to questions. If you have objections to some or all the questions within the Information Request Letter, you are still required to respond to each of the questions.

DEFINITIONS

The following definitions shall apply to the following words as they appear in this enclosure:

1. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.
2. The term "any," as in "any documents" for example, shall mean "any and all."
3. The term "arrangement" means every separate contract or other agreement between two or more persons.
4. The terms "document(s)" and "documentation" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, telecopy, telefax, report, notice, message, analysis, comparison, graph, chart, map, interoffice or intra office communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with the printouts of such punch card, disc, or disc pack, tape or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document and (e) every document referred to in any other document. The term "document" shall also mean any electronically stored information, including but not limited to emails, word processing files, spreadsheets, presentations, databases, geographic information system ("GIS") maps, computer-aided design files, scanned or digital photos, and scanned document images.
5. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business and personal addresses, email address(es), and telephone numbers, and present or last known job title, position or business. Also provide e-mail addresses.
6. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including, but not limited to, a sole proprietorship), to set forth its full name, address, and legal form (e.g. corporation [including state of incorporation],

partnership, etc.), organization, if any, a brief description of its business, and to indicate whether or not it is still in existence and, if it is no longer in existence, to explain how its existence was terminated and to indicate the date on which it ceased to exist. Also provide e-mail addresses.

7. The term "identify" means, with respect to a document, to provide the type of document, to provide its customary business description, its date, its number, if any (invoice or purchase order number), subject matter, the identity of the author, addressor, addressee and/or recipient, and the present location of such document.
8. The term "person" shall have the same definition as in Subsection 101 (21) of CERCLA, 42 U.S.C. § 9601 (21).
9. The term "Site" or "facility" shall mean and include the Brine Service Company Site in Corpus Christi, Texas.
10. The term "you" or "Respondent" shall mean the addressee of this Request, the addressee's officers, managers, employees, contractors, trustees, partners, successors and agents.
11. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.
12. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, 40 C.F.R. Part 300 or 40 C.F.R. Parts 260-280, in which case the statutory or regulatory definitions shall apply.

QUESTIONS

1. Please provide Respondent's current legal name, Respondent's previous legal name(s), previous fictitious name(s), current phone number, and current fax number.
2. Does the Respondent wish to designate an individual for future correspondence from the U.S. Environmental Protection Agency that associates the Respondent to this Site? If yes, please provide the individual's name, address, telephone number, and fax number.
3. Please identify Buckeye's corporate parent and all its corporate subsidiaries.
4. Identify the current owner and/or operator of the Site. State the dates during which the current owner and/or operator owned, operated or leased any portion of the Site and provide copies of all documents evidencing or relating to such ownership, operation or lease, including but not limited to purchase and sale agreements, deeds, leases, etc.
5. If you are the current owner and/or current operator, did you acquire or operate the Site or any portion of the Site after the disposal or placement of hazardous substances on, or at the Site? Describe all the facts on which you base the answer to the preceding question.
6. At the time you acquired or operated the Site, did you know or have reason to know that any hazardous substance was disposed of on, or at the Site? Describe all investigations of the Site you undertook prior to acquiring the Site and all the facts on which you base the answer to the preceding question.
7. Identify all prior owners of the Site. For each prior owner, further identify:
 - a. The dates of ownership;
 - b. All evidence showing that they controlled access to the Site; and
 - c. All evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Site during the period that they owned the Site.
8. Identify all prior operators of the Site, including lessors, of the Site, for each such operator, further identify:
 - a. The dates of operation;
 - b. The nature of prior operations at the Site;
 - c. All evidence that they controlled access to the Site; and
 - d. All evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Site and/or its solid waste units during the period that they were operating the Site.

9. Describe the nature of your activities or business at the Site, with respect to purchasing, receiving, processing, storing, treating, disposing, or otherwise handling hazardous substances or materials at the Site.
10. Identify all federal, state and local authorities that regulated and/or interacted with Buckeye with respect to the Site. Your response should include all interactions and, in particular, all contacts from agencies/departments that pertained to health and safety issues and environmental concerns.
11. Describe all occurrences associated with violations, citations, deficiencies and/or accidents concerning the Site since Buckeye acquired or began operating at the Site. Provide copies of all documents associated with such an occurrence.
12. Provide all local, state and federal environmental permits ever granted for the Site or any part thereof (e.g., RCRA permits, NPDES permits, etc.). In addition, provide any NPDES permit authorizing discharges from the Buckeye refinery into the East Ditch.
13. Provide information about the Site, including but not limited to the following:
 - a. Property boundaries, including a written legal description;
 - b. Location of underground pipelines;
 - c. Location of underground utilities (telephone, electrical, sewer, water main, etc.);
 - d. Surface structures (e.g., buildings, tanks, etc.);
 - e. Groundwater wells, including drilling logs;
 - f. Storm water drainage system, and sanitary sewer system, past and present, including septic tank(s), subsurface disposal field(s), and other underground structures; and where, when and how such systems are emptied;
 - g. Any and all additions, demolitions or changes of any kind on, under or about the Site, its physical structures or to the property itself (e.g., excavation work); and any planned additions, demolitions or other changes to the site; and
 - h. All maps and drawings of the Site in your possession
14. Provide all reports, information or data related to soil, water (ground and surface), or air quality and geology/hydrogeology at and about the Site. Provide copies of all documents containing such data and information, including both past and current aerial photographs as well as documents containing analysis or interpretation of such data.
15. Describe the acts or omissions of any persons other than your employees, agents or those persons with whom you had a contractual relationship, that may have caused the release or threat of release of hazardous substances at the Site and damages relating therefrom and identify such persons. In addition:
 - a. Describe all precautions that you took against foreseeable acts or omissions of any such third parties [including, but not limited to insert names if known, e.g., of prior owners, etc.] and the consequences that could foreseeably result from such acts or omissions.
 - b. Describe the care you exercised with respect to the hazardous substances found at the Site.

16. Identify all past and present solid waste management units (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) on the Site. For each such solid waste management unit, provide the following information:
 - a. A map showing the unit's boundaries and the location of all known solid waste management units whether currently in operation or not. This map should be drawn to scale, if possible, and clearly indicate the location and size of all past and present units;
 - b. The type of unit (e.g., storage area, landfill, waste pile, etc.), and the dimensions of the unit;
 - c. The dates that the unit was in use;
 - d. The purpose and past usage (e.g., storage, spill containment, etc.);
 - e. The quantity and types of materials (hazardous substances and any other chemicals) located in each unit, and;
 - f. The construction (materials, composition), volume, size, dates of cleaning, and condition of each unit.
 - g. If unit is no longer in use, how was such unit closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit.
17. Identify all leaks, spills, or releases into the environment of any hazardous substances, pollutants, or contaminants that have occurred at or from the Site? In addition, identify:
 - a. When such releases occurred;
 - b. How the releases occurred (e.g. when the substances were being stored, delivered by a vendor, transported or transferred (to or from any tanks, drums, barrels, or recovery units), and treated).
 - c. The amount of each hazardous substances, pollutants, or contaminants so released;
 - d. Where such releases occurred;
 - e. Any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release.
 - f. Any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken; and
 - g. All persons with information relating to these releases.
18. Has any contaminated soil ever been excavated or removed from the Site? Unless the answer to the preceding question is anything besides an unequivocal "no", identify:
 - a. Amount of soil excavated;
 - b. Location of excavation;
 - c. Manner and place of disposal and/or storage of excavated soil;
 - d. Dates of soil excavation;
 - e. Identity of persons who excavated or removed the soil;
 - f. Reason for soil excavation;
 - g. Whether the excavation or removed soil contained hazardous substances and why the soil contained such substances;
 - h. All analyses or tests and results of analyses of the soil that was removed from the Site;

- i. All persons, including contractors, with information about (a) through (h) of this request.
19. Are you or your consultants planning to perform any investigations of the soil, water (ground or surface), geology, hydrology or air quality on or about the Site? If so, identify:
- a. What the nature and scope of these investigations will be;
 - b. The contractors or other persons that will undertake these investigations;
 - c. The purpose of the investigations;
 - d. The dates when such investigations will take place and be completed; and
 - e. Where on the Site such investigations will take place.
20. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:
- a. the document retention policy.
 - b. a description of how the records were destroyed (burned, trashed, etc.) and the approximate date of destruction.
 - c. a description of the type of information that would have been contained in the documents.
 - d. the name, job title and most current address known by you of the person(s) who would have produced these documents, the person(s) who would have been responsible for the retention of these documents; the person(s) who would have been responsible for the destruction of these documents; and the person(s) who had and/or still may have the originals or copies of these documents.
 - e. the names and most current address of any person(s) who may possess documents relevant to this inquiry.

ENCLOSURE 3

**BRINE SERVICE COMPANY SITE
INFORMATION REQUEST**

SMALL BUSINESS RESOURCES FACT SHEET



U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

Small Business Programs

www.epa.gov/smallbusiness
EPA's Office of Small Business Programs (OSBP) advocates and fosters opportunities for direct and indirect partnerships, contracts, and sub-agreements for small businesses and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman

www.epa.gov/sbo or 1-800-368-5888
The EPA Asbestos and Small Business Ombudsman (ASBO) serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

EPA's Compliance Assistance Homepage

www2.epa.gov/compliance
This page is a gateway industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net
EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

ccar-greenlink.org/ or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfrc.org

Paints and Coatings

www.paintcenter.org

Printing

www.pneac.org

Ports

www.portcompliance.org

Transportation

www.tercenter.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

EPA Hotlines, Helplines and Clearinghouses

www2.epa.gov/home/epa-hotlines

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/catc or 1-919-541-0800

Superfund, TRI, EPCRA, RMP and Oil Information Center

www.epa.gov/superfund/contacts/infocenter/index.htm or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or 734-214-4100

National Pesticide Information Center

www.npic.orst.edu/ or 1-800-858-7378

National Response Center

Hotline to report oil and hazardous substance spills - www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC) -

www.epa.gov/opptintr/ppic or 1-202-566-0799

Safe Drinking Water Hotline -

www.epa.gov/drink/hotline/index.cfm or 1-800-426-4791



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ENCLOSURE 4

**BRINE SERVICE COMPANY SITE
INFORMATION REQUEST**

PRPs CONDUCTING RI/FS

Anadarko E&P Company LP
1201 Lake Robbins Drive,
The Woodlands, Texas ,m 77380

ConocoPhillips Company
600 N. Dairy Ashford
Houston, Texas 77079

EL Paso Merchant Energy-Petroleum
Company (Kinder Morgan)
1001 Louisiana Street, Suite 1000
Houston, Texas 77002

Hess Corporation
601 Jack Stephan Way
West Trenton, New Jersey 08628

Sunoco, Inc. (R&M) (Evergreen Resources Management Operations)
2 Righter Parkway, Suite 200
Wilmington, Delaware 19803

Texaco, Inc. (Chevron)
1400 Smith Street, #33133
Houston, Texas 77002